

EXHIBIT B

COPY

Search Warrant No. _____

COUNTY AND STATE OF HAWAII

AFFIDAVIT FOR SEARCH WARRANT

STAR HALEAMAU

On the basis of your affiant's personal knowledge, as set forth in the attachments hereto, and on the basis of the information contained in those attachments, OFFICER STANLEY HAANIO, deposes and says, that there is probable cause to believe that the property described hereinafter can be found at the location described hereinafter and that it falls within those grounds indicated by "x"(s), in that it is:

- X property that constitutes evidence of the commission of the offense(s) of PROMOTING A DANGEROUS DRUG, Section(s) 707-1243 of the Hawaii Revised Statutes, as amended.
- contraband by violation of Section(s) _____ of the Hawaii Revised Statutes, as amended.
- fruits of the crime(s) of _____, Section(s) _____ of the Hawaii Revised Statutes, as amended.
- criminally possessed in violation of Section(s) _____, of the Hawaii Revised Statutes, as amended.
- ~~property~~ designed or intended for use of which is or has been used as the means of committing the offense(s) of _____, Section(s) _____, of the Hawaii Revised Statutes, as amended.

and request the issuance of a search warrant to **SEARCH:**

1. **Single story wooden dwelling on post and pier, beige in color with red and brown trim and rusted corrugated metal roofing in Naalehu, Kau, Hawaii; located approximately .1 mile east or Hilo direction from the intersection of Kukui Road and Ohai Road, and being the sixth house on the makai side of Ohai Road; occupied by Douglas RYCHENER; to include all attics, basements, rooms, garages, outbuildings, storage sheds, vehicles, garbage cans, containers, and the surrounding yard located within the property boundaries;**
2. **Black fanny pack;**
3. **The person of Douglas Edwin RYCHENER and clothing used to conceal narcotics with a DOB: 09-30-65 and SSN: 576-80-0152;**

I hereby certify that this is a full, true and correct copy of the original on file in this office

Star Halla
Clerk District Court of the Third Circuit
State of Hawaii

**DEFENDANT'S
EXHIBIT**

B

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for the following property:

(REFER TO ATTACHED)

The following attachments are incorporated by reference as though set forth herein
haec verba: Attachment(s) No(s): 7, 7a, 7b, and 7c;

WHEREFORE, it is prayed that a search warrant be issued and that such warrant
authorize its execution: X only between 6:01 A.M. and 9:59 P.M.; _____ at any time of
day or night.

DATED: Kona, Hawaii, _____

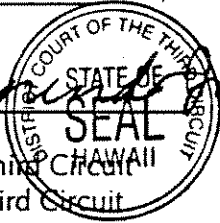

STANLEY HAANIO
AFFIANT

OFFICER
OFFICIAL TITLE

Subscribed and sworn to before me this
22nd day of August, 2003,
at 3:10 o'clock A. M.


JUDGE

X District Court of the Third Circuit
____ Circuit Court of the Third Circuit
County and State of Hawaii



ITEMS TO SEARCH FOR:

1. Methamphetamine and derivatives of same;
2. Paraphernalia used in the ingestion of methamphetamine to include but not limited to glass smoking pipes, metal screen, wet rags and/or paper towels, lighters, and butane torches; items used in preparing and packaging methamphetamine for sales including paper bindles, heat-sealed packets, straws, vials used for storage, scales, and other weighing devices;
3. Articles of personal property tending to establish the identity of person(s) in control of the residence, storage areas and containers being searched including the utility bill receipts, rent receipts, address envelopes, keys, photographs, video tapes of the defendant (s) and their associates;
3. Articles of personal property tending to establish the existence of a conspiracy to use, sell, transport methamphetamine and marijuana, including personal telephone books, address books, telephone bills, papers and documents, containing list of names address and phone numbers of narcotic customers and suppliers;
4. Any proceeds as a result of methamphetamine and marijuana sales or transactions, including monies, money orders, cashiers checks and travelers checks;
5. Articles of personal property tending to establish the identity or ownership of persons in control the residence of Douglas Edwin RYCHENER being a single story wooden dwelling on post and pier, beige in color with red trim and rusted corrugated metal roofing in Naalehu, Kau, Hawaii; located approximately .1 mile east or Hilo direction from the intersection of Kukui Road and Ohai Road, to include but not limited to utility bill receipts, rent receipts, address envelopes, keys, photographs, video tapes of the defendant (s) and their associates;
6. Articles of personal property tending to establish the identity or ownership of a black fanny pack, which may be used to conceal narcotics;
7. Articles of personal property tending to establish the identity or ownership of a black fanny pack, containing identification, papers, and items which may include but not limited to glass smoking pipes, metal screen, wet rags and/or paper towels, lighters, and butane torches; items used in preparing and packaging methamphetamine for sales including paper bindles, heat-sealed packets, straws, vials used for storage;

ATTACHMENT NO. 7CONFIDENTIAL INFORMANT

① Your affiant states that he is a police officer employed by the Hawaii County Police Department, and has been employed as a police officer since 1989 and that his present assignment is a police officer assigned to the Kona Patrol Section, Community Policing Unit, temporarily assigned to the Kona Vice Unit;

10 days
② That within the last week and a half your affiant has received truthful information from a confidential informant; that your affiant, wishes to keep the identity of the informant confidential for the following reasons:

- 1) Disclosure endangers the informant's safety;
- 2) Disclosure impairs the informant's future usefulness to law enforcement authorities;

③ That your affiant believes the confidential informant to be reliable in that in the last week and a half said informant had given truthful information on at least six (6) occasions regarding drug activities within the Ka'u area;

④ That your affiant was informed by the informant that a male individual who is known to the informant as Douglas RYCHENER is a user/distributor of crystal methamphetamine "ice" in Naalehu in a subdivision known as the "Filipino Camp" in the district of Ka'u, and that your affiant has corroborated said information through speaking with Detective Ernest SALDUA who is known to your informant as being a Detective/Sergeant employed by the Hawaii County Police Department and whose present assignment is a Detective/Sergeant assigned to the Kona Vice Section, and also anonymous complaints received of suspected drug activity occurring at RYCHENER's residence;

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ATTACHMENT 7a

5 That the informant further informed your affiant that RYCHENER sells crystal methamphetamine from his residence described as a residence is a single story wooden dwelling on post and pier, beige in color with red and brown trim and rusted corrugated metal roofing in a subdivision known as "Filipino Camp" in Naalehu, Kau, Hawaii;

6 That Detective SALDUA further described RYCHENER'S as being located approximately .1 mile east or Hilo direction from the intersection of Kukui Road and Ohai Road, and being the sixth house on the makai side of Ohai Road;

7 and has purchased "ice" in the past from RYCHENER in excess of ten times;

8 That the informant further informed your affiant that RYCHENER keeps the narcotics in a small cookie can in his residence and/or holds small packets of crystal methamphetamine on his person concealed in his clothing pockets or a black fanny pack;

9 That the informant also informed your affiant that the informant is familiar with the appearance of crystal methamphetamine to include the various forms of packaging for distribution;

10 That within the last five (5) days the same informant agreed to do a controlled purchase of crystal methamphetamine from RYCHENER; that your affiant along with Detective Ernest SALDUA who is known to your informant as being a Detective/Sergeant employed by the Hawaii County Police Department and whose present assignment is a Detective/Sergeant assigned to the Kona Vice Section, met with the informant at a pre-arranged location and searched the informant along with the informant's mode of transportation for narcotics; that your affiant did not find the informant possessing any narcotics;

11 That your affiant conducted surveillance on the informant after the informant left their location, maintaining surveillance until the informant arrived at RYCHENER's residence; that constant surveillance was maintained of the informant after the informant left RYCHENER's

ATTACHMENT 7b

residence; that your affiant and Detective SALDUA then followed the informant and met the informant at a pre-arranged location; that the informant turned over a small ziploc cellophane baggie containing crystalline substance to your affiant;

12. That your affiant again searched the informant for narcotics; that your affiant did not find the informant to be possessing any narcotics;

13. That the informant informed your affiant that the crystalline substance was "ice" which the informant had obtained from RYCHENER at RYCHENER's residence;

14. That your affiant conducted a Narcotics Field Test using the NIK Test Kit on the crystalline substance recovered from the informant; that the result of the test was presumptive positive for methamphetamine; That your affiant is qualified to conducted said field test;

15. That your affiant was further informed by the informant that RYCHENER resides in a residence along with his wife who was identified as a Madeline "Mattie" RYCHENER and daughter Vanity RYCHENER being approximately 5 years old;

16. That the informant directed your affiant to RYCHENER's residence, which also corroborated with the information your affiant received from Detective SALDUA that RYCHENER'S residence is a single story wooden dwelling on post and pier, beige in color with red and brown trim and rusted corrugated metal roofing in a subdivision known as "Filipino Camp" in Naalehu, Kau, Hawaii; That Detective SALDUA further described RYCHENER'S as being located approximately .1 mile east or Hilo direction from the intersection of Kukui Road and Ohai Road, and being the sixth house on the makai side of Ohai Road;

ATTACHMENT 7c

17. That your affiant has received training in the identification of narcotics and/or methods of distribution of narcotics from the Hawaii County Police Department, Western States Information Network (WSIN), Drug Enforcement Administration (DEA), and the Department of Justice;

18. That during the course of employment as a police officer assigned to the Kona District, your affiant executed and assisted in the execution of numerous search warrants for narcotics to include methamphetamines and that your affiant has also made numerous arrest for narcotic offenses to include methamphetamines:

19. That it has been my experience and the experience of other narcotic investigators with whom I have spoken that persons involved in the use of methamphetamines will have most if not all of the following items of evidence within their temporary or permanent residences, businesses, vehicles, storage areas, storage containers, within grounds of their residence, or on their persons; that these items are associated with the use, transportation and sales of methamphetamines;

Methamphetamine and derivatives of same;

Paraphernalia used in the ingestion of methamphetamine to include glass smoking pipes, metal screen, wet rags and/or paper towels, lighters, and butane torches; items used in preparing and packaging methamphetamine for sales including paper bindles, heat-sealed packets, straws, vials used for storage, scales, and other weighing devices;

Articles of personal property tending to establish the existence of a conspiracy to use, sell, and transport methamphetamine and marijuana including personal telephone books, address books, telephone bills, papers and documents containing lists of names, addresses and phone numbers of narcotics customers and suppliers;

Articles of personal property tending to establish the identity of persons in control of the described apartment being searched including rent receipts addressed envelopes vehicle registration papers, cellular phone, pagers, computers, keys photographs of the defendant (s) and their associates.

COPY

Search Warrant No. _____

2003 AUG 22 PM 3:15

COUNTY AND STATE OF HAWAII

STAR HALEAMAU

SEARCH WARRANT

To the Chief of Police of the County of Hawaii, his Deputy, or any Police Officer in the County of Hawaii, State of Hawaii, or any Police Officer in the State of Hawaii authorized by law to execute this warrant at the place designated hereinafter.

Affidavit(s) having been made before me that the property described herein may be found at the location(s) set forth therein and that it falls within the grounds specified by said affidavit(s).

And as I am satisfied that there is probable cause to believe that the property described herein is being concealed on the premises or person described below and that the foregoing grounds for application for issuance of the search warrant exist.

YOU ARE COMMANDED forthwith to SEARCH:

Single story wooden dwelling on post and pier, beige in color with red and brown trim and rusted corrugated metal roofing in Naalehu, Kau, Hawaii; located approximately .1 mile east or Hilo direction from the intersection of Kukui Road and Ohai Road, and being the sixth house on the makai side of Ohai Road; occupied by Douglas RYCHENER; to include all attics, basements, rooms, garages, outbuildings, storage sheds, vehicles, garbage cans, containers, and the surrounding yard located within the property boundaries;

I hereby certify that this is a full, true
and correct copy of the original on file in
this office.

Star Hale
Clerk District Court of the Third Circuit
State of Hawaii

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for the following property:

(REFER TO ATTACHED)

giving to the person from whom or from whose premises the property was taken a copy of this warrant and a receipt for the property taken or shall leave the copy and receipt at the place from which the property was taken, and to seize it if found there, and prepare a written inventory of the property seized and return this warrant and inventory before me within ten days of this date, as required by law.

This warrant shall be executed at the time indicated below by an "x".

 X only during the period of time between 6:01 A.M. until 9:59 P.M.

 at any time of day or night.

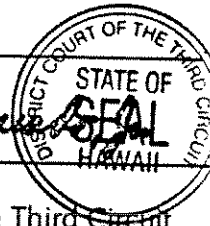
Dated: Kona, Hawaii,

4-22-03

JUDGE

 X District Court of the Third Circuit

 Circuit Court of the Third Circuit
County and State of Hawaii



ITEMS TO SEARCH FOR:

1. Methamphetamine and derivatives of same;
2. Paraphernalia used in the ingestion of methamphetamine to include but not limited to glass smoking pipes, metal screen, wet rags and/or paper towels, lighters, and butane torches; items used in preparing and packaging methamphetamine for sales including paper bindles, heat-sealed packets, straws, vials used for storage, scales, and other weighing devices;
3. Articles of personal property tending to establish the identity of person(s) in control of the residence, storage areas and containers being searched including the utility bill receipts, rent receipts, address envelopes, keys, photographs, video tapes of the defendant (s) and their associates;
3. Articles of personal property tending to establish the existence of a conspiracy to use, sell, transport methamphetamine and marijuana, including personal telephone books, address books, telephone bills, papers and documents, containing list of names address and phone numbers of narcotic customers and suppliers;
4. Any proceeds as a result of methamphetamine and marijuana sales or transactions, including monies, money orders, cashiers checks and travelers checks;
5. Articles of personal property tending to establish the identity or ownership of persons in control the residence of Douglas Edwin RYCHENER being a single story wooden dwelling on post and pier, beige in color with red trim and rusted corrugated metal roofing in Naalehu, Kau, Hawaii; located approximately .1 mile east or Hilo direction from the intersection of Kukui Road and Ohai Road, to include but not limited to utility bill receipts, rent receipts, address envelopes, keys, photographs, video tapes of the defendant (s) and their associates;

COPY

Search Warrant No. _____

000 107 02 PM 3:15

JUL 10 2003

COUNTY AND STATE OF HAWAII

STAR HALEAMAU

SEARCH WARRANT

To the Chief of Police of the County of Hawaii, his Deputy, or any Police Officer in the County of Hawaii, State of Hawaii, or any Police Officer in the State of Hawaii authorized by law to execute this warrant at the place designated hereinafter.

Affidavit(s) having been made before me that the property described herein may be found at the location(s) set forth therein and that it falls within the grounds specified by said affidavit(s).

And as I am satisfied that there is probable cause to believe that the property described herein is being concealed on the premises or person described below and that the foregoing grounds for application for issuance of the search warrant exist.

YOU ARE COMMANDED forthwith to SEARCH:

Black fanny pack;.

I hereby certify that this is a full, true
and correct copy of the original on file in
this office

Star Hah
Clerk District Court of the Third Circuit
State of Hawaii

412

for the following property:

(REFER TO ATTACHED)

giving to the person from whom or from whose premises the property was taken a copy of this warrant and a receipt for the property taken or shall leave the copy and receipt at the place from which the property was taken, and to seize it if found there, and prepare a written inventory of the property seized and return this warrant and inventory before me within ten days of this date, as required by law.

This warrant shall be executed at the time indicated below by an "x".

 X only during the period of time between 6:01 A.M. until 9:59 P.M.

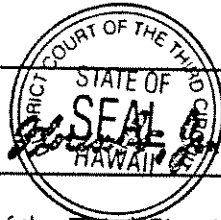
 at any time of day or night.

Dated: Kona, Hawaii, _____

4-2²~~3~~-03

JUDGE _____

 X District Court of the Third Circuit
 Circuit Court of the Third Circuit
County and State of Hawaii



ITEMS TO SEARCH FOR:

1. Black colored fanny pack;